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UNITED STATES DISTRICT COURT  
 NORTHERN DISTRICT OF CALIFORNIA  
 SAN FRANCISCO DIVISION

VICTOR VOLOVNIKOV,

Plaintiff,

v.

Department of Homeland Security, MICHAEL  
 CHERTOFF, Secretary; U.S. Attorney General,  
 ALBERTO GONZALES; United States  
 Citizenship and Immigration Services,  
 EMILIO T. GONZALEZ, Director; United  
 States Citizenship and Immigration Services,  
 ALFONSO AGUILAR, Chief; United States  
 Citizenship and Immigration Services, DAVID  
 STILL, District Director,

Defendants.

No. C 07-3607 EDL

**PARTIES' JOINT REQUEST TO BE  
 EXEMPT FROM FORMAL ADR  
 PROCESS**

Each of the undersigned certifies that he or she has read either the handbook entitled "Dispute Resolution Procedures in the Northern District of California," or the specified portions of the ADR Unit's Internet site <[www.adr.cand.uscourts.gov](http://www.adr.cand.uscourts.gov)>, discussed the available dispute resolution options provided by the court and private entities, and considered whether this case might benefit from any of them. Here, the parties agree that referral to a formal ADR process will not be beneficial because this action is limited to plaintiff's request that this Court compel defendants to adjudicate the application for naturalization. Defendants have already requested the FBI expedite the name check so that the application may be processed as soon as possible. Given the substance

1 of the action and the lack of any potential middle ground, ADR will only serve to multiply the  
2 proceedings and unnecessarily tax court resources.

3 Accordingly, pursuant to ADR L.R. 3-3(c), the parties request the case be removed from the  
4 ADR Multi-Option Program and that they be excused from participating in the ADR phone  
5 conference and any further formal ADR process.

6 Dated: September 21, 2007

Respectfully submitted,

7  
8 SCOTT N. SCHOOLS  
United States Attorney

9  
10 /s/  
MELANIE L. PROCTOR  
Assistant United States Attorney  
Attorneys for Defendants

12  
13 Dated: September 21, 2007

/s/  
14 MONICA KANE  
Attorney for Plaintiff

15 **ORDER**

16 Pursuant to stipulation and to ADR L. R. 3-3(c), the parties are hereby removed from the ADR  
17 Multi-Option Program and are excused from participating in the ADR phone conference and any  
18 further formal ADR process.

19 **SO ORDERED.**

20  
21 Dated:

ELIZABETH D. LAPORTE  
22 United States Magistrate Judge